

PROPOSED CONCLUSIONS OF LAW

1. Allied's actions and omissions were the actual cause of Mr. Ferguson's injuries.
2. Allied's actions and omissions were the proximate cause of Mr. Ferguson's injuries.
3. Allied's actions in concert with Mr. Ferguson's actions constituted efficient, intervening causes of Mr. Ferguson's injuries such that any liability of Hanes Supply or CCI, separately or collectively, are not the proximate cause of Mr. Ferguson's injuries.
4. The undisputed material facts fail to support a claim or cause of action against CCI on any theory alleged by plaintiff.
5. The undisputed material facts fail to establish that any claimed defect in the design or manufacture of the product in question was the proximate cause of Mr. Ferguson's injuries.
6. The undisputed material facts establish that CCI is entitled to summary judgment in its favor on the strict liability and negligent failure to warn claims.
7. The undisputed material facts establish that CCI is entitled to summary judgment in its favor on the implied warranty claims.
8. The undisputed material facts establish that CCI is entitled to summary judgment in its favor on the strict liability and negligent design defect claims.

Respectfully submitted,

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